THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 18103 of 1999
and
WRIT PETITION Nos. 15846 and 15851 of 2006

COMMON ORDER: (Per the Hon'ble Smt. Justice T. Meena Kumari)

These three writ petitions are filed by the same petitioner challenging the common order dated 10.8.1999 passed by the A.P. Administrative Tribunal in O.A. Nos. 52875 of 1990, 1510 of 1997 and 2797 of 1993. Therefore, all the three writ petitions are disposed of by this common order.

The main issue in these writ petitions is with regard to fixation of seniority of the petitioner and to consider the case of the petitioner for promotion to the post of Superintendent. It is not disputed that the petitioner joined the Office of the 2nd respondent – Assistant Director, Disabled Welfare, Visakhapatnam on 17.1.1986 in pursuance of the proceedings of the District Collector dated 8.1.1986 and is continuing as such in the said department till date according to the learned counsel for the petitioner. The Tribunal has held that the service which the petitioner rendered in the Non-Governmental Organisations cannot be counted for the purpose of fixation of seniority.

It is now submitted by the learned counsel for the petitioner that the service rendered by the petitioner prior to joining in the office of the Assistant Director of Disabled Welfare need not be counted for his seniority and a direction may be issued to the Office of the Assistant Director of Disabled Welfare to count his seniority from

the date of his joining in the said office i.e. 17.1.1986 and to consider his case for promotion in accordance with Rules. We see some force in the submission made by the learned counsel for the petitioner. It is an admitted fact that the petitioner has been transferred to the Office of the Assistant Director, Disabled Welfare by virtue of proceedings dated 8.1.1986 and he joined in the said Office on 17.1.1986. Therefore, having regard to the facts and circumstances of the case, the respondents are directed to consider the seniority of the petitioner from the date of his joining in the Office of the 2nd respondent i.e. with effect from 17.1.1986 and accordingly to consider his case for promotion to the post to which he is entitled, in accordance with the Rules.

The writ petitions are disposed of accordingly with the above directions.

T. MEENA KUMARI, J.

G. CHANDRAIAH, J.

Date: 25-06-2007.

MVB.